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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,676	10/24/2000	Alan J. Ruud	RU-134US	4587

24314 7590 09/20/2002

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EXAMINER

TON, ANABEL

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/696,676

Applicant(s)

RUUD ET AL.

Examiner

Anabel M Ton

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-9 and 13 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 10-12 and 14-27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-3,6-9 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang (6,394,628).
4. Wang discloses an overhead light fixture including a housing (12), power related components and a lamp mounting socket (74), the housing having a top and bottom walls and sidewalls there between together forming a substantially enclosed space (22), the bottom wall defining a socket window (94), the power related components (35,36) each being secure with respect to the housing within the enclosed space, and the lamp mounting socket being secured with respect to the housing and positioned substantially within the enclosed space, thereby providing low profile fixture with its components within a single housing (figs 1 and 2), the lamp mounting socket is positioned with its

lamp receiving end substantially aligned vertically and horizontally with the socket window (94,74, fig 2);

- The overhead industrial light fixture of claim 1 wherein the power-related components include at least a ballast and a capacitor (fig 2);
- The housing has enclosure-forming members consisting essentially of a top member forming the top wall and downwardly-extending sidewall portions; and a bottom member in fitted engagement with the top member and forming the bottom wall and upwardly-extending sidewall portions which, together with the downwardly-extending sidewall portions, complete the sidewalls (22);
- The downwardly extending sidewall portions of the top member include two opposed end walls each extending downwardly from the top wall and terminating in an end flange engaging and fastened to the bottom member (fig 2);
- The end flanges of the opposed end walls engage and are fastened to the bottom wall (fig 2);
- The top member includes (a) a central top-wall portion having opposite edges and (b) a pair of lateral top-wall portions below and on opposite sides of the central top-wall portion, each having an inner and an outer edge; and the downwardly-extending sidewall portions of the top member include a pair of opposed upper sidewall portions each extending downwardly from one of the opposite edges of the central top-wall portion to the inner edge of one of the lateral top-wall portions (fig 2);

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- The top member is formed of sheet metal bent to form the junctures between the top wall and sidewall portions thereof, and a the bottom member is formed of sheet metal bent to form the junctures between the bottom wall and sidewall portions thereof (fig 2)

Allowable Subject Matter

5. Claims 4,5,10-12 and 14-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

- The bottom wall includes a plurality of downward projections around the socket window; and a reflector is secured to the housing by attachment at the downward projections.
- The bottom wall is formed of sheet metal and the projections are stampings therein.
- Each of the lateral top-wall portions has a side flange at its outer edge, the side flange and outer edge engaging the upwardly-extending sidewall portions of the bottom member;
- The downwardly extending sidewall portions of the top member include two opposed end walls each extending downwardly from the top wall and terminating in an end flange engaging and fastened to the bottom member.

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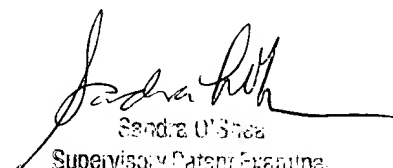
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Anabel M Ton
Examiner
Art Unit 2875

AMT
September 17, 2002


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800